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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TYCO HEALTHCARE GROUP LP d/b/a)	LEAD CASE NO. C08-03129 MMC
VNUS MEDICAL TECHNOLOGIES,)	
)	CASE NO. C08-03129 MMC
Plaintiff,)	
)	PROPOSED ORDER GRANTING IN
v.)	PART AND DENYING IN PART
)	DEFENDANTS' MOTION FOR
BIOLITEC, INC.,)	ADMINISTRATIVE RELIEF TO FILE
)	DOCUMENTS UNDER SEAL
Defendant.)	
)	
)	
)	
TYCO HEALTHCARE GROUP LP d/b/a)	CASE NO. C08-04234 MMC
VNUS MEDICAL TECHNOLOGIES,)	(consolidated with C08-03129 MMC)
)	
Plaintiff,)	
)	
v.)	
)	
TOTAL VEIN SOLUTIONS, LLC d/b/a)	
TOTAL VEIN SOLUTIONS)	
)	
Defendant.)	

Before the Court is the Defendants' Motion for Administrative Relief to File Documents Under Seal dated August 12, 2011, by which defendants seek leave to file under seal unredacted versions of certain documents submitted in support of their Opposition to Plaintiff's Motion for Summary Judgment of No Inequitable Conduct. Having reviewed the parties' submissions filed in support of the motion, the Court rules as follows:

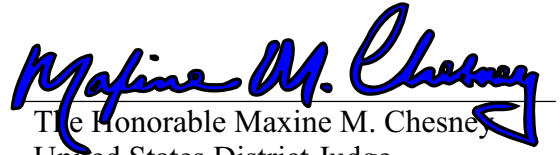
1. The motion is GRANTED in part, specifically, as to the following documents that plaintiff has shown contain material properly filed under seal (see Kertz Decl., filed August 19, 2011), each of which defendant is directed to file under seal, no later than ~~five calendar days from the date of this order~~ September 8, 2011:

- The entirety of Exhibit J and portions of Exhibits AA and BB (reflecting Dr. Goldman's hourly rate or retainer) to the Declaration of Charles T. Steenberg in Support of Defendants' Opposition to Plaintiff's Motion for Summary Judgment of No Inequitable Conduct.
- Designated portions of Defendants' Opposition to Plaintiff's Motion for Summary Judgment of No Inequitable Conduct in which the confidential content of the above exhibits is set forth (page 4 (lns. 5-6) and material on pages 1 (ln. 15), 6 (lns. 6, 8), 7 (ln. 7), 8 (ln. 15), 9 (ln. 21), 15 (ln. 27), 20 (ln. 7), 22 (lns. 19, 25), and 23 (ln. 17) reflecting Dr. Goldman's hourly rate or retainer).

2. The motion is DENIED as to materials provided under seal that are not specifically identified in the foregoing paragraph, as the designating party has not filed a "responsive declaration." Defendants are directed to file such documents in the public record no later than ~~five calendar days from the date of this order~~ September 8, 2011.

IT IS SO ORDERED.

Dated: September 2, 2011


The Honorable Maxine M. Chesney
United States District Judge